

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**AARON JONES, SR.,**

Plaintiff,

v.

**DIRECTOR OF DEPARTMENT OF  
REHABILITATIONS AND  
CORRECTIONS, *et al.*,**

Defendant.

**Case No. 2:21-cv-5089**

**Judge Graham**

**Magistrate Judge Vascura**

**ORDER**

This matter is before the Court for consideration of Magistrate Judge Vascura’s December 22, 2021 Report and Recommendation (“R&R”), Doc. 6. The R&R recommends that Plaintiff’s Motion for Leave to Proceed *In Forma Pauperis*, Docs. 3 and 5, be denied. Doc. 6 at 1. The basis for this recommendation is that Plaintiff is ineligible for *Pauper* status because he previously brought more than three cases which were dismissed as frivolous and his current case does not fall within the statutory exception. Doc. 6 at 2-3.

The R&R specifically advised the parties that failure to object to the R&R within fourteen days “will result in a waiver of the right to have the District Judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation.” Doc. 6 at 4. The deadline for filing objections to the R&R has since expired, and no party has objected to the R&R.

The Court agrees with Magistrate Judge Vascura’s R&R, Doc. 6, and it is hereby **ADOPTED**. Plaintiff’s motions, Docs. 3 and 5, are therefore **DENIED**. Plaintiff is ordered to pay the full \$402 filing fee (\$350 filing fee, plus \$52 administrative fee) required to commence this

action **WITHIN THIRTY DAYS**. Plaintiff is advised that his failure to timely pay the full \$402 fee will result in the dismissal of this action. Plaintiff is further **ORDERED** to file a notice identifying all of his previously-dismissed cases in all pending federal cases in which he was granted leave to proceed *in forma pauperis* status. Plaintiff is advised that the Court will dismiss with prejudice any future case in which Plaintiff seeks *in forma pauperis* status without identifying previously-dismissed cases in accordance with *Sloan v. Lesza*, 181 F.3d 857 (7th Cir. 1999). The Court **CERTIFIES** pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Order would not be taken in good faith.

**IT IS SO ORDERED.**

s/ James L. Graham  
JAMES L. GRAHAM  
United States District Judge

DATE: January 19, 2022